

April 3, 1978

LB 108, 748

CLERK: (Read roll call vote found on page 1594 of the Journal.) 30 ayes, 13 nays on the motion to override the Governor's veto, Mr. President.

PRESIDENT: Motion carries. The Chair has been advised that the motions on the reverse side of the page have been withdrawn so we go to Senator Warner's motion to return LB 748 to Select File for specific amendment. We're under Call. Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, the amendment offered...

PRESIDENT: We are under Call. Senator Warner.

SENATOR WARNER: The amendment is to strike an amendment that was placed on LB 748 on the 21st of March defining penalties and I understand that the impact of that amendment would be that some of the funds which are now being collected in court costs would no longer be returned in the case of, in part, in the case of the general fund to the tune of about \$1,300,000. In addition, perhaps the dollar that is attached to those cases going before the courts for \$1 for the retirement would add another \$215,000 that would have to be picked up with general fund money. Also there would be the \$1 that goes for the Law Enforcement Training Center in Grand Island. That cost of \$187,000 would have to be picked up and then there are also estimated costs in Omaha and in the case of Lincoln the \$500,000 and \$250,000 each which would have to be picked up by each of those municipalities and then there is some dollar amount estimated up to maybe \$150,000 but it could be less of district court fees that go to the county general fund around the state.

PRESIDENT: We are under Call.

SENATOR WARNER: All of these would have to be, at least part of that would have to be picked up by local property tax. I understand the purpose for that amendment but I think it ought to be stricken because of its major impact on the general fund and other funds that I don't think was generally anticipated by the members when that amendment was adopted.

PRESIDENT: Senator Rasmussen moves that the Call be raised. Record your vote. Record.

CLERK: 24 ayes, 1 nay to raise the Call, Mr. President.

PRESIDENT: The Call is raised. The Chair recognizes Senator Barnett.

SENATOR BARNETT: Mr. President, members of the Legislature, I would hope that we would support Senator Warner on this amendment. If the Clerk, if I could have his attention, Pat, Mr. Clerk, did we have that resolution printed that I offered in place of this amendment? Did we offer to have that printed? Because of the issue that Senator Warner is trying to take off of 748, the criminal code, I think it's highly important and I did offer that resolution. I passed it out to everybody on this floor and I'm asking if you had it printed. It asked the Judiciary Committee to look into this issue, this very important issue that Senator DeCamp has brought to our attention and I for one will not say that Senator DeCamp done this in any devious

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